

10/574645

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1AP20 Rec'd PCT/PTO 29 MAR 2006

Patent Application No. Unassigned

Applicant: Salomon et al.

Filed: Herewith

TC/AU: N/A

Examiner: N/A

Docket No.: 251206 (Client Reference No. E-075-2003/0-US-03)

Customer No.: 45733

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- ☒ **within** any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date

of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

- ☐ **after** (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:
- ☐ the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).
- or*
- ☐ the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

#### Copies of the References

- ☐ Copies of all of the references listed on the enclosed Form 1449 are enclosed herewith.
- ☒ Copies of U.S. patents and patent applications that are listed on the accompanying Form 1449 are not enclosed herewith. Copies of other references identified on the accompanying Form 1449 are enclosed herewith.
- ☐ Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).
- ☒ A copy of the foreign search report is enclosed herewith.
- ☐ The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references.

The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		STATUS (check one)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

**Statement under 37 CFR 1.97(e)**

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned** hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

**Statement under 37 CFR 1.704(d)**

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

**Fees**

- ☒ No fee is owed by the applicant(s).
- ☐ Charge Deposit Account No. 12-1216 in the amount of **\$180.00** (37 CFR 1.17(p)).  
(A duplicate copy of this communication is enclosed for that purpose.)

In re Appln. of Salomon et al.  
Attorney Docket No. 251206

10/574645

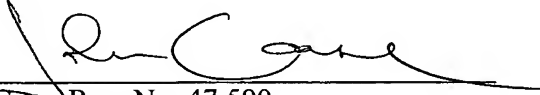
**Authorization to Charge Additional Fees**

AP20R3 210110 29 MAR 2006

- ☒ If any additional fees are owed in connection with this communication, please charge  
Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed  
for that purpose.)

**Instructions as to Overpayment**

- ☒ Credit Account No. 12-1216.  
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Date: March 30, 2006

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1AP20 Rec'd PTO 29 MAR 2006

Substitute for form 1449A/B/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

## Complete if Known

Application Number	Unassigned
Filing Date	Herein
First Named Inventor	Salomon et al.
Group Art Unit	N/A
Examiner Name	N/A
Attorney Docket Number	251206
Client Reference No.	E-075-2003/0-US-03

Sheet

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of

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## U.S. PATENT DOCUMENTS

Examiner Initials	Doc. No.	U.S. Patent Document		Name of Patentee or Applicant	Date of Publication	Filing Date If Appropriate
		Application or Patent Number	Kind Code			
	AA	5,256,643		Persico et al.	Oct. 26, 1993	
	AB	5,654,140		Persico et al.	Aug. 5, 1997	
	AC	5,792,616		Persico et al.	Aug. 11, 1998	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Doc. No.	Foreign Patent Document			Name of Patentee or Applicant	Date of Publication	Translation	
		Office	Application or Patent Number	Kind Code			Yes	No**
	AD	WO	00/06723	A1	Yeda Research and Development Company Ltd. at The Weizmann Institute of Science	Feb. 10, 2000		
	AE	WO	02/16413	A2	SmithKline Beecham Biologicals S.A.	Feb. 28, 2002		
	AF	WO	02/22808	A2	Biogen, Inc.	Mar. 21, 2002		
	AG	WO	02/059620	A2	Government of the U.S. of America, represented by Secretary Dep. of Health and Human Services	Aug. 1, 2002		
	AH	WO	02/077033	A1	Austin Research Institute	Oct. 3, 2002		
	AI	WO	02/088170	A2	Biogen, Inc.	Nov. 7, 2002		
	AJ	WO	2004/053084	A2	McLean Hospital Corporation	Jun. 24, 2004		
	AK	WO	2004/083375	A2		Sep. 30, 2004		

## OTHER - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Doc. No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.	Translation	
			Yes	No**
	AL	ACHIM et al., <i>Cur. Opin. Neurobiol.</i> , 9, 221-225 (1996)		
	AM	ACKRILL et al., <i>Nucleic Acids Res.</i> , 19, 591-598 (1991)		
	AN	ADAMSON et al., <i>J. Cellular Physiology</i> , 190 (3), 267-278 (2002)		
	AO	ADKINS et al., <i>J. Clin. Invest.</i> , 112, 575-587 (2003)		
	AP	BERMAN et al., <i>Mol. Chem. Neuropathol.</i> , 34, 25-38 (1998)		
	AQ	BERMAN et al., <i>Neurobiol Dis.</i> 6: 486-498 (1999)		
	AR	BIANCO et al., <i>Cancer Res.</i> , 63, 1192-1197 (2003)		
	AS	BIANCO et al., <i>J. Biol. Chem.</i> , 274, 8624-8629 (1999)		
	AT	BIANCO et al., <i>J. Cell. Physiology</i> , 190(1), 74-82 (2002)		
	AU	BIANCO et al., <i>Mol. Cell. Bio.</i> , 22, 2586-2597 (2002)		
	AV	COLAS et al., <i>Gene</i> , 255, 205-217 (2000)		
	AW	CONCHA et al., <i>Neuron.</i> , 28, 399-409 (2000)		
	AX	CORASANITI et al., <i>Biochem. Pharmacol.</i> , 56, 153-156 (1998)		
	AY	DATABASE EMBL Online, M96955		

Examiner Signature

Date Considered

\* A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

+ An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).

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AD 2003-03-10 29 MAR 2006

Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			<b>Complete if Known</b>	
			Application Number	Unassigned
			Filing Date	Hebrew 1574645
			First Named Inventor	Salomon et al.
			Group Art Unit	N/A
			Examiner Name	N/A
Sheet 2 of 3	Attorney Docket Number	251206		

OTHER - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Doc. No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.	Translation	
			Yes	No**
	A Z	D'AVERSA et al., <i>Am. J. Pathol.</i> , 160, 559-567 (2002)		
	B A	DECHIARA et al., <i>Cell</i> , 83, 313-322 (1995)		
	B B	DE LA CRUZ et al., <i>Hum. Genet.</i> , 110, 422-428 (2002),		
	B C	DING et al., <i>Nature</i> , 395, 702-707 (1998)		
	B D	DONO et al., <i>Development</i> , 118, 1157-1168 (1993)		
	B E	DUBERLEY et al., <i>Neurosci. Lett.</i> , 218, 188-192 (1996)		
	B F	EBERT et al., <i>Exp. Cell Res.</i> , 257, 223-229 (2000)		
	B G	ELSON et al., <i>Nat. Neurosci.</i> , 3, 867-872 (2000)		
	B H	FRIEDMAN et al., <i>Cell</i> , 38, 745-755 (1984)		
	B I	GenBank Accession No. AAA61134		
	B J	GenBank Accession No. M96955		
	B K	GenBank Accession No. X14253		
	B L	GONATAS et al., <i>Brain Res.</i> , 855, 23-31 (2000)		
	B M	GRANDVAUX et al., <i>Curr. Opin. Infect. Dis.</i> , 15, 259-267 (2002)		
	B N	GRITSMAN et al., <i>Cell</i> , 97, 121-132 (1999)		
	B O	JOAG et al., <i>J. Virol.</i> , 70, 3189-3197 (1996)		
	B P	JOHNSON et al., <i>Dev. Dyn.</i> , 201, 216-226 (1994)		
	B Q	KAWANO et al., <i>Histochem Cell Biol.</i> , 17(5), 381-9 (2002)		
	B R	KINOSHITA et al., <i>Cell</i> , 83, 621-630 (1995)		
	B S	LIU et al., <i>Virology</i> , 260, 295-307 (1999)		
	B T	LUCIW et al., <i>Virology</i> , 263, 112-127 (1999)		
	B U	MCCORMICK et al., <i>Virology</i> , 272, 112-126 (2000)		
	B V	NATH et al., <i>J. Biol. Chem.</i> , 274, 17098-17102 (1999)		
	B W	NAVIA et al., <i>Ann. Neurol.</i> , 19, 525-535 (1986)		
	B X	NEBULONI et al., <i>J. Neurovirol.</i> , 6, 46-50 (2000)		
	B Y	NIEMEYER et al., <i>Cell. Death Differ.</i> , 5, 440-449 (1998)		
	B Z	NIEMEYER et al., <i>Int. J. Cancer</i> , 81, 588-591 (1999)		
	C A	OLIVEIRA et al., <i>J. Comp. Neurol.</i> , 447, 381-393 (2002)		
	C B	PENKOWA et al., <i>Glia</i> , 32, 271-285 (2000)		
	C C	PETITO, <i>Ann. Neurol. Suppl.</i> , S54-S57 (1998)		
	C D	PLUN-FAVREAU et al., <i>EMBO J.</i> , 20, 1692-1703 (2001)		
	C E	POZZOLI et al., <i>J. Neuroimmunol.</i> , 118, 268-276 (2001)		
	C F	PRICE et al., <i>Science</i> , 239, 586-592 (1988)		
	C G	QI et al., <i>Br. J. Cancer</i> , 69, 903-910 (1994)		
	C H	RAGHAVAN et al., <i>Brain Pathol.</i> , 7, 851-861 (1997)		
	C I	RAGHAVAN et al., <i>Neuropathol. Appl. Neurobiol.</i> , 25, 285-294 (1999)		
	C J	RAPPAPORT et al., <i>J. Leuk. Biol.</i> , 65, 458-465 (1999)		
	C K	RAUSCH et al., <i>J. Neuropathol. Exp. Neurol.</i> , 53, 165-175 (1994)		
	C L	REUL et al., <i>Curr. Opin. Pharmacol.</i> , 2, 23-33 (2002)		

Examiner Signature	Date Considered
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**Complete if Known**

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet

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of

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Application Number

Unassigned

Filing Date

Herewith

First Named Inventor

Salomón et al.

### Group Art Unit

N/A

**Examiner Name**

N/A

Attorney Docket Number

251206

## OTHER - NON PATENT LITERATURE DOCUMENTS

[illegible]

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